

m/003/024

## PICKETT RANCH & SHEEP CO.

1650 SOUTH 568 WEST • OAKLEY, IDAHO 83346 • (208) 862-3482

November 13, 2000

Pamela Grubaugh-Littig, Associate Director  
Division of Oil, Gas and Mining  
1594 West North Temple, Suite 1210  
Box 145801 Salt Lake City, UT 84114-5801

Re: Notice of Tentative Decision to Approve, Star Stone Quarries, Inc., Cotton Thomas Mine Plan Permit, M/003/024

Dear Ms. Grubaugh-Littig,

This letter is in confirmation of a phone call last Friday between myself and Lynn Kunzler of your Division regarding the boundaries, dump sites, and access routes for the above referenced Tentative Decision. You may be aware that we share a common property boundary of several miles with Lon Thomas, and American Stone Company, much of which is defined as **"the crest of the ridge"** along this portion of the Goose Creek Mountains. This "crest of the ridge" also happens to be where many of the mineral deposits that Thomas seeks are located. My concern with the permit boundary is the tendency the Thomas' have to mine the "crest" of the ridge and to dump their waste materials on our side of the ridge. Inasmuch as our property line extends to the "crest", we desire that the permit boundary be enforced to that same elevation and that all waste materials be placed west of the ridge on Thomas property. Mr. Kunzler has assured me that (1) the permit boundary does not extend east of the ridge **in any location**, and (2) that he has personally measured this boundary with a GPS machine to define the exact boundary for future reference.

Regarding access, it is my understanding from Mr. Kunzler that the new road personally built by Lon Thomas in 1998 across property which Thomas bought from Don Nelson was included in the permit for reclamation only and that this road is not to be defined as an access route for the permit. All access, as I understand it, is to come from the Cotton Thomas side of the mountain. This road was constructed while Thomas was under restriction for noncompliance and is an open example of his willingness to defy the provisions of his permit. We protest any implication that access may come from the east side of the mountain and across any portion of our property.

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DIVISION OF  
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If the Division concurs with the representations of Mr. Kunzler, as set forth above, and agrees to enforce the same, then I will withhold any protest. However, if the Division fails to adequately enforce these boundaries, dump site locations, and access restrictions, then this letter shall constitute my timely filed protest of this decision.

Please direct any questions to our office at (208) 862-3482 or respond, if necessary, in writing.

Sincerely yours,

PICKETT RANCH & SHEEP CO.

By: 

Douglas T. Pickett, V.P.

DTP/